

**§ 61.12 Appeals.**

Appeals from or on behalf of tribal members or applicants who have been denied enrollment must be in writing and must be filed pursuant to part 62 of this chapter. When the appeal is on behalf of more than one person, the name of each person must be listed in the appeal. A copy of part 62 of this chapter shall be furnished with each notice of adverse action.

**§ 61.13 Decision of the Assistant Secretary on appeals.**

The decision of the Assistant Secretary on an appeal shall be final and conclusive and written notice of the decision shall be given the individual, parent or guardian having legal custody of a minor, or sponsor, as applicable. The name of any person whose appeal has been sustained will be added to the roll. Unless otherwise specified by law or in a tribal governing document, the determination of the Assistant Secretary shall only affect the individual's eligibility to share in the distribution of the judgment funds.

**§ 61.14 Preparation, certification and approval of the roll.**

(a) The staff officer shall prepare a minimum of five copies of the roll of those persons determined to be eligible for enrollment. The roll shall contain for each person a roll number, name, address, sex, date of birth, date of death, when applicable, and when required by law, degree of Indian blood, and, in the remarks column, when applicable, the basic roll number, date of the basic roll, name and relationship of ancestor on the basic roll through whom eligibility was established.

(b) A certificate shall be attached to the roll by the staff officer or Superintendent certifying that to the best of his/her knowledge and belief the roll contains only the names of those persons who were determined to meet the qualifications for enrollment.

(c) The Director shall approve the roll.

**§ 61.15 Special instructions.**

To facilitate the work of the Director or Superintendent, the Assistant Secretary may issue special instructions

not inconsistent with the regulations in this part 61.

**PART 62—ENROLLMENT APPEALS**

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AUTHORITY: 5 U.S.C. 301, 25 U.S.C. 2 and 9.

SOURCE: 52 FR 30160, Aug. 13, 1987, unless otherwise noted.

**§ 62.1 Definitions.**

As used in these regulations:

*Assistant Secretary* means the Assistant Secretary of the Interior for Indian Affairs or an authorized representative acting under delegated authority.

*Bureau* means the Bureau of Indian Affairs of the Department of the Interior.

*Commissioner* means the Commissioner of Indian Affairs or an authorized representative acting under delegated authority.

*Department* means the Department of the Interior.

*Director* means the Area Director of the Bureau of Indian Affairs area office which has administrative jurisdiction over the local field office responsible for administering the affairs of a tribe, band, or group of Indians or an authorized representative acting under delegated authority.

*Secretary* means the Secretary of the Interior or an authorized representative acting under delegate authority.

*Sponsor* means any authorized person, including an attorney, who files an appeal on behalf of another person.

*Superintendent* means the official or other designated representative of the Bureau of Indian Affairs in charge of the field office which has immediate administrative responsibility with respect to the affairs of a tribe, band, or group of Indians or an authorized representative acting under delegated authority.